REMARKS

This Paper is filed in response to the telephone discussions between the Examiner and Applicant's undersigned attorney on 25 July 2008. Entry of the foregoing amendments, re-examination and reconsideration are respectfully requested.

Supplemental Declaration

During telephone discussions, the Examiner has requested Applicant to submit another Supplemental Reissue Declaration, and has agreed that the Supplemental Reissue Declaration may be signed by only the Assignee. Accordingly, Applicant will shortly submit the Supplemental Reissue Declaration at later date in the U.S. Patent & Trademark Office.

Status of the Claims

Claims 1-62, 64, and 65-80 are pending in the application, and are set forth in the following listing.

Listing of the Claims

Pursuant to 37 CFR §121 (c), the claim listing, including the text of the claims, will serve to replace all prior versions of the claims in the application.

Amendment of the Claims

Claims 63 and 65 are canceled. Claims 68 and 69 are amended.

Basis for Amendments of Claims 68 and 69

The amendments of each of claims 68 and 69 are indicated in the following replications of those claims with newly added text indicated by a double underline, and deleted text indicated by a strikeout.

Amendment of Claim 68

The amendments to claim 68 are shown with the newly added text indicated by a double underline, and the deleted text indicated by a strikeout.

1   68.   A ~~stored program providing~~ a method of displaying color adjustment in a display

2   monitor having an associated color curve and a predetermined range of color temperatures with a

3   maximum value and a minimum value provided by a stored program, said method comprising:

4   receiving a user selected color temperature value;

5   determining a color temperature data based on said user selected color temperature value,

6   said associated color curve and said predetermined range;

7   determining color gain and cut-off values corresponding to said user selected color

8   temperature value based on said color temperature data; and

9   converting said color gain and cutoff values to analog signals.

Amendment of Claim 69

The amendments to claim 69 are shown with the newly added text indicated by a double underline, and the deleted text indicated by a strikeout.

1   69.   A method, comprising:

2   receiving a user selected color temperature value;

3   determining a color temperature data based on said user selected color temperature value, a

4   ~~said~~ a associated color curve and ~~said~~ a predetermined range;

5   determining color gain and cut-off values corresponding to said user selected color

6   temperature value based on said color temperature data; and

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7   <u>converting said color gain and cutoff values to analog signals.</u>

Resolution of Issues Under 35 U.S.C. §101

In its recent decision in ***TIVO, INC., v. ECHOSTAR COMMUNICATIONS CORPORATION, et al.***, 448 F.3d 1294, 75 USPQ 2d 354 (2008), the United States Court for the Federal Circuit ruled upon issues of patent infringement of hardware claims 1 (written in process format) and 32 (written in apparatus format), and software claims 31 (written in process format) and 61 (written in apparatus format). There was no finding by the Federal Circuit that any of these four claims were invalid under 35 U.S.C. §101.

HARDWARE CLAIM Claim 1 – Process –

1. A process for the simultaneous storage and play back of multimedia data. comprising the steps of accepting television (TV) broadcast signals, wherein said TV signals are based on a multitude of standards, including, but not limited to, National Television Standards Committee (NTSC) broadcast, PAL broadcast, satellite transmission, DSS, DES, or A TSC;

tuning said TV signals to a specific program;

providing at least one Input Section, wherein said Input Section converts said specific program to an Moving Pictures Experts Group (MPEG) formatted stream for internal transfer and manipulation;

providing a Media Switch, wherein said Media Switch parses said MPEG stream, said MPEG stream is separated into its video and audio components;

storing said video and audio components on a storage device;

providing at least one Output Section, wherein said Output Section extracts said video and audio components from said storage device;

wherein said Output Section assembles said video and audio components into an MPEG stream;

wherein said Output Section sends said MPEG stream to a decoder;

wherein said decoder converts said MPEG stream into TV output signals;

wherein said decoder delivers said TV output signals to a TV receiver; and

accepting control commands from a user, wherein said control commands are sent through the system and affect the/low of said MPEG stream.

HARDWARE CLAIMS Claim 32 – Apparatus –

32. An apparatus for the simultaneous storage and play back of multimedia data, comprising:

a module for accepting television (TV) broadcast signals, wherein said TV signals are based on a multitude of standards, including, but not limited to, National Television Standards Committee (NTSC) broadcast, PAL broadcast, satellite transmission, DSS, DES, or ATSC;

a module for tuning said TV signals to a specific program;

at least one Input Section, wherein said Input Section converts said specific program to an Moving Pictures Experts Group (MPEG) formatted stream for internal transfer and manipulation;

a Media Switch, wherein said Media Switch parses said MPEG stream, said MPEG stream is separated into its video and audio components;

a module for storing said video and audio components on a storage device;

at least one Output Section, wherein said Output Section extracts said video and audio components from said storage device;

wherein said Output Section assembles said video and audio components into an MPEG stream;

wherein said Output Section sends said MPEG stream to a decoder;

wherein said decoder converts said MPEG stream into TV output signals;

wherein said decoder delivers said TV output signals to a TV receiver; and

accepting control commands from a user, wherein said control commands are sent through the system and affect the flow of said MPEG stream.

SOFTWARE CLAIMS Claim 31 – Process –

31. A process for the simultaneous storage and play back of multimedia data, comprising the steps of providing a physical data source, wherein said physical data source accepts broadcast data from an input device, parses video and audio data from said broadcast data, and temporarily stores said video and audio data;

providing a source object, wherein said source object extracts video and audio data from said physical data source;

providing a transform object, wherein said transform object stores and retrieves data streams onto a storage device;

wherein said source object obtains a buffer from said transform object, said source object converts video data into data streams and fills said buffer with said streams;

wherein said source object is automatically flow controlled by said transform object;

providing a sink object, wherein said sink object obtains data stream buffers from said

transform object and outputs said streams to a video and audio decoder;

wherein said decoder converts said streams into display signals and sends said signals to

a display;

wherein said sink object is automatically flow controlled by said transform object;

providing a control object, wherein said control object receives commands from a user, said

commands control the flow of the broadcast data through the system; and

wherein said control object sends flow command events to said source, transform, and sink

objects.

SOFTWARE CLAIMS Claim 61 – Apparatus–

61.   An apparatus for the simultaneous storage and play back of multimedia data,

comprising:

a physical data source, wherein said physical data source accepts broadcast data from an

input device, parses video and audio data from said broadcast data, and temporarily stores said

video and audio data;

a source object, wherein said source object extracts video and audio data from said physical

data source;

a transform object, wherein said transform object stores and retrieves data streams onto a

storage device;

wherein said source object obtains a buffer from said transform object, said source object

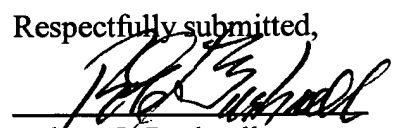*converts video data into data streams and fills said buffer with said streams;*

wherein said source object is automatically flow controlled by said transform object;

a sink object, wherein said sink object obtains data stream buffers from said transform object and outputs said streams to a video and audio decoder;

wherein said decoder converts said streams into display signals and sends said signals to a display;

wherein said sink object is automatically flow controlled by said transform object;

a control object, wherein said control object receives commands from a user, said commands control the flow of the broadcast data through the system; and

wherein said control object sends flow command events to said source, transform, and sink objects.

In the foregoing amendments of claims 68 and 69, independent claim 63 is a software claim written in a process format that is in style, an independent software claim, and defines statutory subject matter 35 U.S.C. §101 in conformance with *TIVO, INC., v. ECHOSTAR COMMUNICATIONS CORPORATION, et al.,* 448 F.3d 1294, 75 USPQ 2d 354 (2008). Indication of the allowance of claim 63 in subsequent Office correspondence, is respectfully requested.

In view of the foregoing amendments and explanations, and the previous indications of allowability, this application is deemed to be in condition to be passed to issue. Such action is respectfully urged.

No fee is incurred by this Paper.

Respectfully submitted,

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Date: 25 September 2008
I.D.:   REB/fw